



## MARKED UP VERSION OF THE AMENDED CLAIMS

(Version with marking to show changes made)

**RECEIVED**

JUN 18 2003

**GROUP 3600**

4. (amended) Method according to claim 1 [or 2], characterized in that the converters (2,3,4,8) operating as pulse emitters are supplied with electrical energy by the electrical control and evaluation station (6).

8. (amended) Device according to [one of the claims 5 through] claim 7, characterized in that the electrical control and evaluation station (6) supplies the converters (2,3,4,8) operating as pulse emitters with electrical energy.

9. (amended) Device according to [one of the claims 5 through] claim 8, characterized in that the support is a rail (1) and the technical rolling body is a vehicle wheel (7), wherein converters (2,3,4,8) are disposed at the rail and at the vehicle wheel (7) as pulse emitters, wherein the converters (2,3,4,8) generate pulses at the support (1), which pulses are received by the converters (2,3,4,8) as pulse receivers and are transmitted and again received from the converters (8) disposed at the vehicle wheel (7) and are further guided to the control and evaluation station (6).

10. (amended) Device according to [one of the claims 5 through] claim 8, characterized in that the support is a rail (1) and the technical rolling body

is a vehicle wheel (7), wherein converters (8) are disposed at the vehicle wheel (7) as pulse emitters, which converters generate pulses at the vehicle wheel (7), which pulses are received by the converters (8) disposed at the vehicle wheel (7) and are transmitted and are further guided to the control and evaluation station (6).

11. (amended) Device according to [one of the claims 5 through] claim 9, characterized in that the control and evaluation station (6) is supported by the vehicle wheel (7).

#### REMARKS

Claims 1 through 11 continue to be in the case.

Claims 4 and 8 through 11 are being amended in order to meet the rules relating to multiple dependent claims.

The Office Action refers to Claim Rejections - 35 USC § 102.

2. Claims 1-11 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lyon(6,086,254).

-- In considering claims 1-11, the claimed subject matter that is met by Lyon includes:

1) the claimed method for monitoring the region of rolling bodies is met(see: column 3, lines 1 et seq).

Applicant respectfully traverses.

According to claim 1, lines 12 through 17, "one of the electrical converters (2,3,4, 8) is disposed at the support (1) in the monitored region (1,7) of the rolling body (7) and the converter (2, 3, 4, 8) feeds evaluable pulses (5a', 5b, 5c')".

In contrast, the Lyon reference US Patent 6,086,254 teaches in column 3, lines 1 seq. (lines 2 through 5: "The diameter of roller elements 18 must be larger than the distance between carriage race 32 and rail race 34 to prevent carriage 12 from engaging support rail 20."

Applicant urges that the diameter considerations of Lyons at the location of the reference indicated in the Office Action has nothing to do with the requirement of claim 1 that a converter be disposed at a support and that the converter provides evaluable pulses.

Accordingly, the reference Lyon is deemed not to anticipate the requirements of claim 1.

The subject matter of the present invention is a transport unit such as a rolling body and which transport unit can travel on a specific rail. The transport unit is formed for this purpose essentially of a body, which body partially grips around the prismatic formed rail with correspondingly prismatic faces.

It is a feature of the Lyon reference that a transport unit of Lyons features rolls or rollers in the contact regions of the prismatic faces of transport unit and rail, and the transport unit of Lyon supports itself with these rolls or rollers on the rail.

The rolls or rollers are wetted with a fluid fed in hydraulically through channels for reducing friction, in order to decrease the friction of the rolls or rollers on the rail and thus of the loaded transport unit.

As mentioned before, the citation of Lyon in the Office Action does not refer to active converters or sensors, which are a part of the present invention. The reference Lyon completely fails to teach such active converters or sensors.


Applicant submits that the prior art made of record neither anticipates nor renders obvious the present invention.

Reconsideration of all outstanding rejections is respectfully requested.

All claims as presently submitted are deemed to be in form for allowance and an early notice of allowance is earnestly solicited.

Respectfully submitted,

Klaus-Jurgen Nord

By:   
\_\_\_\_\_  
Horst M. Kasper, his attorney  
13 Forest Drive, Warren, N.J. 07059  
Telephone: (908)757-2839  
Telefax: (908)668-5262  
Reg.No. 28559; Docket No.: MSA239

/sn/rep/am